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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/862,963	05/22/2001	Masatoshi Takashima	450100-03196	9771

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EXAMINER

RAMAKRISHNAIAH, MELUR

ART UNIT PAPER NUMBER

2614

DATE MAILED: 10/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.	Applicant(s)	
09/862,963	TAKASHIMA ET AL.	
Examiner	Art Unit	
Melur Ramakrishnaiah	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-62 is/are pending in the application.
- 4a) Of the above claim(s) 21-24, 27, 28, 31 and 52-55 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20, 25, 26, 29, 30, 32-51 and 56-62 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5-28-04</u> .   | 6) <input type="checkbox"/> Other: _____                          |

1. Applicant's election without traverse of Group I claims 1-20, 25-26, 29-30, 32-51, and 56-62 in the reply filed on 7-31-2006 is acknowledged.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-12, 13-19, 32-43, 44-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Hendricks et al. (WO 99/12349, hereinafter Hendricks).

Regarding claim 1, Hendricks discloses a communication control apparatus for controlling multipoint communications performed using a plurality of communication apparatus connected via, a communication lines, comprising: a control means for controlling communications so as to transmit signals received from the plurality of communication apparatus and a signal for providing a predetermined advertising information to the plurality of communication apparatuses (abstract; pages 6-7; page 14 lines 6-15; page 33; page 36 lines 2-4; figs 1, 10-12, 14, 16, 17).

Regarding claim 13, Hendricks discloses a communication control apparatus for controlling multipoint communications performed using a plurality of communication

apparatus connected via, a communication lines, comprising: a control means for controlling communications so as to transmit signals received from the plurality of communication apparatus and a content signal specified by a communication apparatus to the plurality of communication apparatuses (abstract; pages 6-7; page 14 lines 6-15; page 33; page 36 lines 2-4; figs 1, 10-12, 14, 16, 17).

Claim 32 is rejected on the same basis as claim 1.

Claim 44 is rejected on the same basis as claim 1.

Regarding claims 2-12, 14-19, 33-43, 45-50, Hendricks further teaches the following: control means controls communications so that the communication apparatus display images in accordance with the signals received from the plurality of communication apparatuses and an image in accordance with the signal for providing the predetermined advertising information on screen as shown in fig. 16. wherein control means determines the type of information to be provided in accordance with an instruction from a communication apparatus and controls communication so as to transmit a signal for providing the determined type of the advertising information to the communication apparatuses, control means assigns predetermined selection right to a communication apparatus and allows the communication apparatus assigned the selection right to give the instruction, control means changes the communication apparatus assigned the selection right in accordance with a request for a communication apparatus, control means transmits a signal for a display for specifying the communication apparatus assigned the selection right to the plurality of communication apparatuses, control means determines whether or not to transmit a

signal for providing the advertising information in accordance with an instruction from a communication apparatus, signals are received from the communication apparatuses are signals for displaying faces of users of the communication apparatuses as shown in fig. 16, control means controls communication so that a communication apparatus displays a second image in accordance with the preadvertising information larger compared with first images in accordance with signals from the plurality of communication apparatuses, control means controls communication so that the second image is displayed below the first images in a display of the communication apparatus, charging means for determining fees to be charged to users of the communication apparatus for use of the multipoint communication in accordance with provision of advertising information, control means controls communication so as to transmit sound signals received from the plurality of communication apparatuses, when signals are received from the plurality of communication apparatuses are sound signals (abstract; pages 6-7; page 14 lines 6-15; page 33; page 36 lines 2-4; figs 1, 10-12, 14, 16, 17).

4. Claims 25, 26, 29, 30 are rejected under 35 U.S.C 102(e) as being anticipated by Roy (US PAT: 6,600,725 B1, Provisional application No. 60/112,740, filed on Dec. 16, 1998).

Regarding claim 25, Roy discloses a communication apparatus for multipoint communications with plurality of other communication apparatuses via communication lines, comprising: a receiving means in (114, fig. 1) for receiving first signals transmitted by the plurality of communication apparatuses (100, 106, 108, 112, fig. 1, col. 4 lines 1-60) and a second signal indicating predetermined advertising information and a signal

processing means for processing for simultaneously displaying images in accordance with the first signals and an image in accordance with a second signal (col. 5, line 66 – col. 6, line 29).

Claim 26 is rejected on the same basis as claim 25.

Regarding claim 29 and 30, Roy discloses a communication system for multipoint communication using a plurality of communication apparatuses via communication lines under control by a communication control apparatus, wherein: the communication control apparatus (114, fig. 1) comprises control means for controlling communications so as to transmit first signals received from plurality of communication apparatuses (100, 106, 108, 112, fig. 1, col. 4 lines 1-60) and a second signal for providing predetermined advertising information to the plurality of communication apparatuses, and the communication apparatus comprises display means (not shown) and a signal processing means (not shown) for processing so as to display images in accordance with the first signals and an image in accordance with the second signal on one display screen means (col. 5, line 66 – col. 6, line 29).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 20 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hendricks in view of Ito (JP405260193A).

Hendricks differs from claims 20 and 51 in that he does not specifically teach the following: signals received from the plurality of communication apparatuses are sound signals, the control means recognizes sounds indicated by the sound signals and controls communication so as to transmit signals indicating the recognized sounds by text to the plurality communication apparatuses.

However, Ito discloses video telephone exchange system which teaches the following: signals received from the plurality of communication apparatuses are sound signals, the control means recognizes sounds indicated by the sound signals and controls communication so as to transmit signals indicating the recognized sounds by text to the plurality communication apparatuses (figs. 1-2, abstract).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Hendricks' system to provide for the following: signals received from the plurality of communication apparatuses are sound signals, the control means recognizes sounds indicated by the sound signals and controls communication so as to transmit signals indicating the recognized sounds by text to the plurality communication apparatuses as this arrangement would facilitate conferencing among users speaking different languages as taught by Ito.

7. Claims 56-57, 58-60 and 61-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roy in view of Bullister (US PAT: 5,886,735).

Regarding claim 56, Roy discloses a communication apparatus for controlling multipoint communication using a plurality of communication apparatus connected via communication line, comprising: a control means for controlling communication so as to

permit first signals indicating pick up results of faces of users of the communication apparatuses received from the plurality of communication apparatuses and second signals indicating pickup results to the plurality of communication apparatuses (col. 4 lines 1-60; col. 5, line 66 – col. 6, line 29).

Roy differs from claim 56 in that he does not specifically teach indicating pickup results in the direction of users' perspectives.

However, Bullister discloses video telephone headset, which teaches the following: indicating pickup results in the direction of users' perspectives (abstract; col. 2 lines 20-40; col. 9 lines 36-47; figs. 3, 5A).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Roy's system to provide for the following: indicating pickup results in the direction of users' perspectives as this arrangement would facilitate to obtain line of sight images in a conference system, thus making the conference more realistic.

Regarding claim 57, Roy teaches the following: control means in (114, fig. 1) controls communication so that images in accordance with the first signals and second images in accordance with second signals are displayed in correspondence on one screen by the display means of the communication apparatus (col. 5, line 66 – col. 6, line 29).

Regarding claim 58, Roy discloses a communication apparatus for multipoint communication with plurality of other communication apparatus via communication lines, comprising: a receiving means in (114, fig. 1) for receiving signals, a display



means (not shown) for displaying in accordance with the received signals, a first image pickup means (not shown) for picking up an image of a face of a user of the communication apparatus, and a transmission means for (120, fig. 1) for transmitting signals indicating the image pickup results of the first image pickup means and second image pickup means (used to provide live information services; col. 5, line 66 – col. 6, line 29).

Roy differs from claims 58-59 in that he does not specifically teach pickup means for picking up the image in the direction of user's perspective and displaying images according to user's perspective

However, Bullister teaches the following: pickup means for picking up the image in the direction of user's perspective and displaying images according to user's perspective (abstract; col. 2 lines 20-40; col. 9 lines 36-47; figs. 3, 5A).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Roy's system to provide for the following: pickup means for picking up the image in the direction of user's perspective; displaying images according to user's perspective as this arrangement would facilitate to obtain line of sight images in a conference system, thus making the conference more realistic.

Regarding claim 60, Roy teaches the following: display means displays the first images and the second images in correspondence on one screen (col. 5, line 66 – col. 6, line 29).

Claim 61 is rejected on the same basis as claim 56.

Claim 62 is rejected on the same basis as claim 57.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

--(6,546,016) to Gerszberg et al. discloses video telephone in which videos of the remote user and local user along with live video such as from television program is displayed in picture in picture windows (col. 24 lines 59-67).

--(6,339,842) to Fernandez et al. discloses a system for displaying advertisements and video conference conferees (col. 4 lines 11-15).

--(6,084,628) to Sawyer discloses a system in a telecommunication network for providing targeted advertising to subscribers utilizing display screens to a video telephone call (abstract).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2614

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Melur Ramakrishnaiah  
Primary Examiner  
Art Unit 2614